

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/15/2023
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	20-CR-503 (VEC)
	:	
FATADE IDOWU OLAMILEKAN,	:	<u>ORDER</u>
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on February 22, 2023, Fatade Idowu Olamilekan (“Defendant”) was sentenced principally to a term of imprisonment of fifty months, *see* J., Dkt. 35;

WHEREAS on November 16, 2023, Defendant filed a motion requesting that the Court consider a sentence reduction pursuant to Amendment 821 to the U.S. Sentencing Guidelines (“Amendment 821”), *see* Mot. Dkt. 39, which went into effect on November 1, 2023, and which applies retroactively; *see* U.S.S.G. §§ 1B1.10, 4A1.1(e), 4C1.1;

WHEREAS on December 12, 2023, the United States Probation Department reported that Defendant is eligible for the zero-point offender calculation but precluded from a sentence reduction, *see* Probation Report, Dkt. 40; and

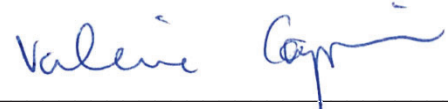
WHEREAS the Court has considered the record in this case;

IT IS HEREBY ORDERED that Defendant is precluded from a sentence reduction pursuant to Amendment 821 because, even though he is a zero-point offender, his original sentence was below the amended U.S. Sentencing Guidelines (“Guidelines”) range of sixty-three to seventy-eight months. *See* U.S.S.G. § 1B1.10(b)(2) (providing that the Court “shall not reduce the defendant’s term of imprisonment” to a term that is “less than the minimum” of the amended Guidelines range). Defendant’s motion is therefore DENIED.

IT IS FURTHER ORDERED that the Clerk of Court is respectfully directed to close the open motion at Dkt. 39 and to mail a copy of this Order to Defendant.

**SO ORDERED.**

**Dated: December 15, 2023**  
**New York, NY**

A handwritten signature in blue ink, appearing to read "Valerie Caproni", is written above a horizontal line.

**VALERIE CAPRONI**  
**United States District Judge**